

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

No. CR 14-00306 WHA

v.

LUKE D. BRUGNARA,
Defendant.

**CERTIFICATE AND ORDER
FINDING DEFENDANT LUKE
BRUGNARA IN CRIMINAL
CONTEMPT FIVE ADDITIONAL
TIMES**

Under FRCP 42(b), “[N]otwithstanding any other provision of these rules, the court (other than a magistrate judge) may summarily punish a person who commits criminal contempt in its presence if the judge saw or heard the contemptuous conduct and so certifies. . . . The contempt order must recite the facts, be signed by the judge, and be filed with the clerk.”

This order hereby certifies that the undersigned judge witnessed firsthand that defendant Luke Brugnara committed the following contemptuous conduct:

- (1) On May 6, in violation of the Court’s orders, defendant continued to constantly interrupt the judge, talk over the government’s objections, and used profanity in the courtroom. For that conduct, defendant is hereby sentenced to **21 DAYS IN JAIL**, to be served consecutively to any sentence defendant receives as a result of the fraud, false statement, and escape charges that are currently pending.
- (2) On May 7, defendant continued his personal attacks on Assistant United States Attorney Robin Harris, by responding to an objection in the presence of the jury: “unintelligible for you because you don’t understand business.” For this conduct, defendant is hereby sentenced to an additional **10 DAYS IN JAIL**, to be served

consecutively to any sentence defendant receives as a result of the fraud, false statement, and escape charges that are currently pending.

(3) Also on May 7, in violation of the Court's orders, defendant continued to lay inadmissible and unsupported facts in front of the jury in loaded questions to witnesses. He also called Attorney Harris a "bully" in the presence of the jury. For this conduct, defendant is hereby sentenced to an additional **14 DAYS IN JAIL**, to be served consecutively to any sentence defendant receives as a result of the fraud, false statement, and escape charges that are currently pending.


(4) On May 8, defendant continued to interrupt the judge and government counsel and attempted to coach witness Jameth Record while the government was cross examining her. For this conduct, defendant is hereby sentenced to an additional **10 DAYS IN JAIL**, to be served consecutively to any sentence defendant receives as a result of the fraud, false statement, and escape charges that are currently pending.

(5) Also on May 8, defendant made completely improper outbursts during the testimony of Robert Kane. In an obstructive fashion, he also told the jury that the FBI was required to question the target of an investigation (and his lawyer) before making an arrest. Defendant continued to tell the jury this despite warnings from the judge. For this conduct, defendant is hereby sentenced to an additional **10 DAYS IN JAIL**, to be served consecutively to any sentence defendant receives as a result of the fraud, false statement, and escape charges that are currently pending.

In sum, this order sentences defendant Luke Brugnara to a total of **65 DAYS IN JAIL**, to be served consecutively to any sentence defendant receives as a result of the fraud, false statement, and escape charges that are currently pending. This contempt sentence is in addition to the other contempt sentences defendant has received during this trial (Dkt. Nos. 529, 547, 561). Since the beginning of trial, defendant has now received a total summary contempt sentence of 339 days.

IT IS SO ORDERED.

Dated: May 10, 2015.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE